

**§401. Municipal regulation of cannabis establishments generally**

In accordance with the applicable provisions of this subchapter and pursuant to the home rule authority granted under the Constitution of Maine, Article VIII, Part Second and Title 30-A, section 3001, a municipality may regulate cannabis establishments within the municipality, including, but not limited to, adoption of the following types of regulations and restrictions. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

**1. Land use regulations.** A municipality may adopt an ordinance providing land use regulations applicable to cannabis establishments within the municipality. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

**2. General authorization or limitation of cannabis establishments.** A municipality may adopt an ordinance generally authorizing the operation of some or all types of cannabis establishments within the municipality. A municipality may adopt an ordinance limiting the number of any type of cannabis establishment that may be authorized to operate within the municipality. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

**3. Municipal licensing requirements.** A municipality may adopt an ordinance providing licensing requirements applicable to cannabis establishments within the municipality, which may include, but are not limited to, provisions establishing a municipal licensing fee schedule pursuant to Title 30-A, section 3702. [PL 2017, c. 409, Pt. A, §6 (NEW); PL 2021, c. 669, §5 (REV).]

Notwithstanding any provision of law to the contrary, a municipal ordinance regulating cannabis establishments within the municipality adopted pursuant to this subchapter is not subject to the requirements or limitations of Title 7, chapter 6 or 8-F. Nothing in this subchapter may be construed to require an applicant for a sample collector license or a sample collector licensee to seek local authorization prior to the issuance or renewal of an active license. [PL 2019, c. 676, §10 (AMD); PL 2021, c. 669, §5 (REV).]

**SECTION HISTORY**

PL 2017, c. 409, Pt. A, §6 (NEW). PL 2019, c. 676, §10 (AMD). PL 2021, c. 669, §5 (REV).

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